

FORTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Monday, February 25, 2013

The Senate was called to order at 10:00 a.m. by the President Pro Tempore. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exception of Senators Cleveland, Hobbs, Ranker and Shin.

The Sergeant at Arms Color Guard consisting of Pages Melinda Andrews and Patrick Cunningham, presented the Colors. Senator Fraser offered the prayer.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Fain, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 22, 2013

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1044,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1204,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 22, 2013

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1047,

HOUSE BILL NO. 1056,

HOUSE BILL NO. 1059,

HOUSE BILL NO. 1113,

HOUSE BILL NO. 1209,

SUBSTITUTE HOUSE BILL NO. 1216,

HOUSE BILL NO. 1230,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5852 by Senators Litzow, Hill and Tom

AN ACT Relating to improved student achievement and student outcomes; amending RCW 28A.400.200, 28A.150.220, 28A.195.010, 28A.305.140, 28A.305.140,

28A.310.240, 28A.330.100, 28A.340.030, 28A.400.300, and 28A.630.083; adding new sections to chapter 28A.405 RCW; creating a new section; repealing RCW 28A.305.141; making an appropriation; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5853 by Senators Conway, Schlicher, Braun, Keiser, Billig, Hatfield, Hasegawa and Kline

AN ACT Relating to membership in the Washington public safety employees' retirement system for employees at public utility districts who are qualified trades people who maintain electrical transmission lines; amending RCW 41.37.010; and adding a new section to chapter 41.37 RCW.

Referred to Committee on Ways & Means.

SB 5854 by Senators Dammeier, Carrell and Becker

AN ACT Relating to the Tacoma Narrows toll bridge account; and amending RCW 47.56.165.

Referred to Committee on Transportation.

SB 5855 by Senators Keiser, Hatfield and Litzow

AN ACT Relating to providing a business and occupation tax exemption for amounts received by hotel management companies for covered employee costs; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Ways & Means.

SB 5856 by Senator Tom

AN ACT Relating to creating a defined contribution retirement plan for public employees; amending RCW 41.04.440, 41.04.445, 41.04.450, 41.50.030, and 43.33A.190; reenacting and amending RCW 41.50.110; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.35 RCW; adding a new section to chapter 41.37 RCW; adding a new section to chapter 41.40 RCW; adding a new chapter to Title 41 RCW; creating new sections; and providing an effective date.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

EHB 1044 by Representatives Cody, Jinkins, Takko, Blake, Maxwell, Lytton, Moscoso, Fitzgibbon, Tharinger, Bergquist, Clibborn, Pollet, Goodman, Appleton, Reykdal, Kirby, Green, Van De Wege, Pettigrew, Sells, Springer, Hunt, Moeller, Carlyle, Ryu, Haigh, Liias, Kagi, Tarleton, Pedersen, McCoy, Stanford, Hunter, Hudgins, Farrell, Ormsby, Uptegrove, Riccelli, Stonier, Fey and Santos

AN ACT Relating to preserving health insurance coverage for the voluntary termination of a pregnancy by requiring health plans issued or renewed on or after January 1, 2014, that provide coverage for maternity care or services to

provide a covered person with substantially equivalent coverage to permit the voluntary termination of a pregnancy, by prohibiting a health plan from limiting in any way a woman's access to services related to the voluntary termination of a pregnancy other than terms and conditions generally applicable to the health plan's coverage of maternity care or services including applicable cost sharing, by not limiting in any way a woman's constitutionally or statutorily protected right to voluntarily terminate a pregnancy, by clarifying that health plans are not required to cover abortions that would be unlawful under RCW 9.02.120, by providing an exemption for a multistate plan that does not cover the voluntary termination of pregnancies under federal law, by making the provisions of this act inapplicable to the minimum extent necessary to avoid noncompliance with federal requirements that are a prescribed condition to the allocation of federal funds to the state, and by clarifying that nothing in this act affects the statutory right of objection based on conscience or religion as set forth in RCW 48.43.065 or 70.47.160; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care.

SHB 1047 by House Committee on Public Safety (originally sponsored by Representatives Dahlquist, Hurst and Magendanz)

AN ACT Relating to photographs, microphotographs, and electronic images from traffic safety cameras and toll systems; amending RCW 46.63.160; and reenacting and amending RCW 46.63.170.

Referred to Committee on Law & Justice.

HB 1056 by Representatives Angel, Manweller and Sells

AN ACT Relating to not disqualifying certain corporate officers from receiving unemployment benefits; amending RCW 50.04.310; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1059 by Representative Goodman

AN ACT Relating to a proclamation of a state of emergency; and amending RCW 43.06.210.

Referred to Committee on Governmental Operations.

HB 1113 by Representatives Short, Upthegrove, Springer, Pollet, Taylor, Smith, Fagan, Dahlquist and Fey

AN ACT Relating to standards for the use of science to support public policy; adding a new section to chapter 34.05 RCW; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

ESHB 1204 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Roberts, Dahlquist, Kagi, Farrell, Walsh, Kochmar, Fey, Sequist, Johnson, Freeman, Jinkins, Morrell, McCoy, Tarleton,

Zeiger, Clibborn, Goodman, MacEwen, Appleton, Habib, Reykdal, Maxwell, Bergquist, Ormsby and Ryu)

AN ACT Relating to sibling visitation for children in foster care; amending RCW 13.34.136; and creating a new section.

Referred to Committee on Human Services & Corrections.

HB 1209 by Representatives MacEwen, Blake, Chandler, Stonier, Wilcox, Springer, Haigh, Morrell and Stanford

AN ACT Relating to extending the program establishing Christmas tree grower licensure; and amending 2007 c 335 s 19 (uncodified).

Referred to Committee on Agriculture, Water & Rural Economic Development.

SHB 1216 by House Committee on Health Care & Wellness (originally sponsored by Representatives Habib, Clibborn, Jinkins, McCoy, Springer, Morrell, Goodman, Appleton, Tarleton, Ryu, Tharinger and Fey)

AN ACT Relating to eosinophilia gastrointestinal associated disorders; and creating a new section.

Referred to Committee on Health Care.

HB 1230 by Representatives Green, Warnick, Jinkins, Harris, Cody, Moeller, Clibborn, Morrell and Tharinger

AN ACT Relating to persons who are pursuing a course of study leading to a degree as a physical therapist or physical therapist assistant; and amending RCW 18.74.150 and 18.74.180.

Referred to Committee on Health Care.

MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5097, by Senators Becker, Pearson, Bailey, Hatfield, Holmquist Newbry, Tom, Schoesler, Rivers, Honeyford, Padden, Roach and Parlette

Allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Senate Bill No. 5097 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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Senators Becker and Rolfes spoke in favor of passage of the bill.

McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

MOTION

On motion of Senator Billig, Senators Cleveland, Hobbs, Ranker and Shin were excused.

Excused: Senators Cleveland, Hobbs and Shin
SENATE BILL NO. 5323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, Senator Hill was excused.

SECOND READING

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5097.

SENATE BILL NO. 5198, by Senators Darneille, Dammeier, Harper, Billig and Roach

Exempting personal information relating to children from public inspection and copying.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5097 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

The measure was read the second time.

MOTION

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

On motion of Senator Darneille, the rules were suspended, Senate Bill No. 5198 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Carrell spoke in favor of passage of the bill.

Excused: Senators Cleveland, Hobbs, Ranker and Shin
SENATE BILL NO. 5097, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5198.

ROLL CALL

SECOND READING

SENATE BILL NO. 5323, by Senators Roach, Darneille, Conway and Carrell

The Secretary called the roll on the final passage of Senate Bill No. 5198 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Authorizing assessments for nuisance abatement in cities and towns.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 5323 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Excused: Senators Cleveland, Hobbs and Shin
SENATE BILL NO. 5198, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Roach and Conway spoke in favor of passage of the bill.

SECOND READING

SENATE BILL NO. 5466, by Senators Carrell, Kohl-Welles and King

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5323.

Modifying criminal history record information compliance audit provisions.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5323 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

The measure was read the second time.

MOTION

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow,

On motion of Senator Carrell, the rules were suspended, Senate Bill No. 5466 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carrell and Darneille spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5466.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5466 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Excused: Senators Cleveland, Hobbs and Shin

SENATE BILL NO. 5466, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5212, by Senators Holmquist Newbry, Becker and Roach

Expanding membership of the Washington state horse park authority.

The measure was read the second time.

MOTION

On motion of Senator Holmquist Newbry, the rules were suspended, Senate Bill No. 5212 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Holmquist Newbry spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5212.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5212 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Excused: Senator Shin

SENATE BILL NO. 5212, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5098, by Senators Ericksen and Ranker

Regarding wireless communications structures.

The measure was read the second time.

MOTION

On motion of Senator Ericksen, the rules were suspended, Senate Bill No. 5098 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, Ranker and Carrell spoke in favor of passage of the bill.

Senators Rolfes and Nelson spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5098.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5098 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 12; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Cleveland, Dammeier, Eide, Ericksen, Fain, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, King, Litzow, McAuliffe, Mullet, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Smith and Tom

Voting nay: Senators Chase, Conway, Darneille, Fraser, Frockt, Keiser, Kline, Kohl-Welles, Murray, Nelson, Rolfes and Schlicher

Excused: Senator Shin

SENATE BILL NO. 5098, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5142, by Senators Rolfes, Benton, Hargrove, Sheldon, Hatfield, Delvin, Ericksen, Keiser, Conway, Schlicher and Roach

Incorporating motorcycles into certain transportation planning.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, Senate Bill No. 5142 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5142.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5142 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Excused: Senator Shin

SENATE BILL NO. 5142, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5263, by Senators Benton and King

Concerning motorcycles overtaking and passing pedestrians and bicyclists.

MOTIONS

On motion of Senator Benton, Substitute Senate Bill No. 5263 was substituted for Senate Bill No. 5263 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Benton, the rules were suspended, Substitute Senate Bill No. 5263 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Eide spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5263.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5263 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Excused: Senator Shin

SUBSTITUTE SENATE BILL NO. 5263, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5053, by Senators Harper, Tom, Roach, Murray, Kohl-Welles, Eide, Carrell and Shin

Modifying vehicle prowling provisions.

The measure was read the second time.

MOTION

Senator Harper moved that the following striking amendment by Senators Harper and Padden be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9A.52.100 and 2011 c 336 s 376 are each amended to read as follows:

(1) A person is guilty of vehicle prowling in the second degree if, with intent to commit a crime against a person or property therein, he or she enters or remains unlawfully in a vehicle other than a motor home, as defined in RCW 46.04.305, or a vessel equipped for propulsion by mechanical means or by sail which has a cabin equipped with permanently installed sleeping quarters or cooking facilities.

(2) Except as provided in subsection (3) of this section, vehicle prowling in the second degree is a gross misdemeanor.

(3) Vehicle prowling in the second degree is a class C felony upon a third or subsequent conviction of vehicle prowling in the second degree. A third or subsequent conviction means that a person has been previously convicted at least two separate occasions of the crime of vehicle prowling in the second degree.

(4) Multiple counts of vehicle prowling (a) charged in the same charging document do not count as separate offenses for the purposes of charging as a felony based on previous convictions for vehicle prowling in the second degree and (b) based on the same date of occurrence do not count as separate offenses for the purposes of charging as a felony based on previous convictions for vehicle prowling in the second degree.

Sec. 2. RCW 9.94A.515 and 2012 c 176 s 3 and 2012 c 162 s 1 are each reenacted and amended to read as follows:

TABLE 2

	CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL
XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055)
	Malicious explosion 1 (RCW 70.74.280(1))
	Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050)
	Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2))
	Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011)
	Assault of a Child 1 (RCW 9A.36.120)
	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
	Rape 1 (RCW 9A.44.040)
	Rape of a Child 1 (RCW 9A.44.073)
	Trafficking 2 (RCW 9A.40.100(2))
XI	Manslaughter 1 (RCW 9A.32.060)

	Rape 2 (RCW 9A.44.050)	Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
	Rape of a Child 2 (RCW 9A.44.076)	Drive-by Shooting (RCW 9A.36.045)
	Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)	Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
X	Child Molestation 1 (RCW 9A.44.083)	Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
	Criminal Mistreatment 1 (RCW 9A.42.020)	Introducing Contraband 1 (RCW 9A.76.140)
	Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))	Malicious placement of an explosive 3 (RCW 70.74.270(3))
	Kidnapping 1 (RCW 9A.40.020)	Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
	Leading Organized Crime (RCW 9A.82.060(1)(a))	Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
	Malicious explosion 3 (RCW 70.74.280(3))	Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
	Sexually Violent Predator Escape (RCW 9A.76.115)	Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
IX	Abandonment of Dependent Person 1 (RCW 9A.42.060)	Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
	Assault of a Child 2 (RCW 9A.36.130)	VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
	Explosive devices prohibited (RCW 70.74.180)	Bribery (RCW 9A.68.010)
	Hit and Run--Death (RCW 46.52.020(4)(a))	Incest 1 (RCW 9A.64.020(1))
	Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)	Intimidating a Judge (RCW 9A.72.160)
	Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))	Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
	Malicious placement of an explosive 2 (RCW 70.74.270(2))	Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
	Robbery 1 (RCW 9A.56.200)	Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
	Sexual Exploitation (RCW 9.68A.040)	Rape of a Child 3 (RCW 9A.44.079)
VIII	Arson 1 (RCW 9A.48.020)	Theft of a Firearm (RCW 9A.56.300)
	Commercial Sexual Abuse of a Minor (RCW 9.68A.100)	Unlawful Storage of Ammonia (RCW 69.55.020)
	Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)	V Abandonment of Dependent Person 2 (RCW 9A.42.070)
	Manslaughter 2 (RCW 9A.32.070)	Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
	Promoting Prostitution 1 (RCW 9A.88.070)	Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
	Theft of Ammonia (RCW 69.55.010)	Child Molestation 3 (RCW 9A.44.089)
	Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)	Criminal Mistreatment 2 (RCW 9A.42.030)
VII	Burglary 1 (RCW 9A.52.020)	Custodial Sexual Misconduct 1 (RCW 9A.44.160)
	Child Molestation 2 (RCW 9A.44.086)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
	Civil Disorder Training (RCW 9A.48.120)	

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- Domestic Violence Court Order
Violation (RCW 10.99.040,
10.99.050, 26.09.300, 26.10.220,
26.26.138, 26.50.110, 26.52.070,
or 74.34.145)
- Driving While Under the Influence
(RCW 46.61.502(6))
- Extortion 1 (RCW 9A.56.120)
- Extortionate Extension of Credit (RCW
9A.82.020)
- Extortionate Means to Collect
Extensions of Credit (RCW
9A.82.040)
- Incest 2 (RCW 9A.64.020(2))
- Kidnapping 2 (RCW 9A.40.030)
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW
9.94.070)
- Physical Control of a Vehicle While
Under the Influence (RCW
46.61.504(6))
- Possession of a Stolen Firearm (RCW
9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1
(RCW 9A.76.070)
- Sending, Bringing into State Depictions
of Minor Engaged in Sexually
Explicit Conduct 2 (RCW
9.68A.060(2))
- Sexual Misconduct with a Minor 1
(RCW 9A.44.093)
- Sexually Violating Human Remains
(RCW 9A.44.105)
- Stalking (RCW 9A.46.110)
- Taking Motor Vehicle Without
Permission 1 (RCW 9A.56.070)
- Vehicle Prowling 2 (third or
subsequent offense) (RCW
9A.52.100(3))
- IV Arson 2 (RCW 9A.48.030)
- Assault 2 (RCW 9A.36.021)
- Assault 3 (of a Peace Officer with a
Projectile Stun Gun) (RCW
9A.36.031(1)(h))
- Assault by Watercraft (RCW
79A.60.060)
- Bribing a Witness/Bribe Received by
Witness (RCW 9A.72.090,
9A.72.100)
- Cheating 1 (RCW 9.46.1961)
- Commercial Bribery (RCW 9A.68.060)
- Counterfeiting (RCW 9.16.035(4))
- Endangerment with a Controlled
Substance (RCW 9A.42.100)
- Escape 1 (RCW 9A.76.110)
- Hit and Run--Injury (RCW
46.52.020(4)(b))
- Hit and Run with Vessel--Injury
Accident (RCW 79A.60.200(3))
- Identity Theft 1 (RCW 9.35.020(2))
- Indecent Exposure to Person Under
Age Fourteen (subsequent sex
offense) (RCW 9A.88.010)
- Influencing Outcome of Sporting Event
(RCW 9A.82.070)
- Malicious Harassment (RCW
9A.36.080)
- Possession of Depictions of a Minor
Engaged in Sexually Explicit
Conduct 2 (RCW 9.68A.070(2))
- Residential Burglary (RCW
9A.52.025)
- Robbery 2 (RCW 9A.56.210)
- Theft of Livestock 1 (RCW 9A.56.080)
- Threats to Bomb (RCW 9.61.160)
- Trafficking in Stolen Property 1 (RCW
9A.82.050)
- Unlawful factoring of a credit card or
payment card transaction (RCW
9A.56.290(4)(b))
- Unlawful transaction of health
coverage as a health care service
contractor (RCW 48.44.016(3))
- Unlawful transaction of health
coverage as a health maintenance
organization (RCW 48.46.033(3))
- Unlawful transaction of insurance
business (RCW 48.15.023(3))
- Unlicensed practice as an insurance
professional (RCW 48.17.063(2))
- Use of Proceeds of Criminal
Profiteering (RCW 9A.82.080 (1)
and (2))
- Vehicular Assault, by being under the
influence of intoxicating liquor or
any drug, or by the operation or
driving of a vehicle in a reckless
manner (RCW 46.61.522)
- Viewing of Depictions of a Minor
Engaged in Sexually Explicit
Conduct 1 (RCW 9.68A.075(1))
- Willful Failure to Return from
Furlough (RCW 72.66.060)
- III Animal Cruelty 1 (Sexual Conduct or
Contact) (RCW 16.52.205(3))
- Assault 3 (Except Assault 3 of a Peace
Officer With a Projectile Stun
Gun) (RCW 9A.36.031 except
subsection (1)(h))
- Assault of a Child 3 (RCW 9A.36.140)
- Bail Jumping with class B or C Felony
(RCW 9A.76.170(3)(c))

Burglary 2 (RCW 9A.52.030)	Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))
Communication with a Minor for Immoral Purposes (RCW 9.68A.090)	Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))
Criminal Gang Intimidation (RCW 9A.46.120)	Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
Custodial Assault (RCW 9A.36.100)	Willful Failure to Return from Work Release (RCW 72.65.070)
Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))	II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))
Escape 2 (RCW 9A.76.120)	Computer Trespass 1 (RCW 9A.52.110)
Extortion 2 (RCW 9A.56.130)	Counterfeiting (RCW 9.16.035(3))
Harassment (RCW 9A.46.020)	Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))
Intimidating a Public Servant (RCW 9A.76.180)	Escape from Community Custody (RCW 72.09.310)
Introducing Contraband 2 (RCW 9A.76.150)	Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.132)
Malicious Injury to Railroad Property (RCW 81.60.070)	Health Care False Claims (RCW 48.80.030)
Mortgage Fraud (RCW 19.144.080)	Identity Theft 2 (RCW 9.35.020(3))
Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)	Improperly Obtaining Financial Information (RCW 9.35.010)
Organized Retail Theft 1 (RCW 9A.56.350(2))	Malicious Mischief 1 (RCW 9A.48.070)
Perjury 2 (RCW 9A.72.030)	Organized Retail Theft 2 (RCW 9A.56.350(3))
Possession of Incendiary Device (RCW 9.40.120)	Possession of Stolen Property 1 (RCW 9A.56.150)
Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)	Possession of a Stolen Vehicle (RCW 9A.56.068)
Promoting Prostitution 2 (RCW 9A.88.080)	Retail Theft with Extenuating Circumstances 2 (RCW 9A.56.360(3))
Retail Theft with Extenuating Circumstances 1 (RCW 9A.56.360(2))	Theft 1 (RCW 9A.56.030)
Securities Act violation (RCW 21.20.400)	Theft of a Motor Vehicle (RCW 9A.56.065)
Tampering with a Witness (RCW 9A.72.120)	Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))
Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))	Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
Theft of Livestock 2 (RCW 9A.56.083)	Trafficking in Insurance Claims (RCW 48.30A.015)
Theft with the Intent to Resell 1 (RCW 9A.56.340(2))	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
Trafficking in Stolen Property 2 (RCW 9A.82.055)	Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))	Unlawful Practice of Law (RCW 2.48.180)
Unlawful Imprisonment (RCW 9A.40.040)	Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
Unlawful possession of firearm in the second degree (RCW 9.41.040(2))	Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))	

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Unlawful Trafficking in Fish, Shellfish,
or Wildlife 2 (RCW
77.15.260(3)(a))
Voyeurism (RCW 9A.44.115)

77.15.253(3))

Vehicle Prowl 1 (RCW 9A.52.095)

- I Attempting to Elude a Pursuing Police
Vehicle (RCW 46.61.024)
- False Verification for Welfare (RCW
74.08.055)
- Forgery (RCW 9A.60.020)

Violating Commercial Fishing Area or
Time 1 (RCW 77.15.550(3)(b))"

Senators Harper and Padden spoke in favor of adoption of the striking amendment.

Fraudulent Creation or Revocation of a
Mental Health Advance Directive
(RCW 9A.60.060)
Malicious Mischief 2 (RCW
9A.48.080)
Mineral Trespass (RCW 78.44.330)

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senators Harper and Padden to Senate Bill No. 5053.

The motion by Senator Harper carried and the striking amendment was adopted by voice vote.

MOTION

Possession of Stolen Property 2 (RCW
9A.56.160)
Reckless Burning 1 (RCW 9A.48.040)

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "prowling;" strike the remainder of the title and insert "amending RCW 9A.52.100; reenacting and amending RCW 9.94A.515; and prescribing penalties."

Spotlighting Big Game 1 (RCW
77.15.450(3)(b))
Suspension of Department Privileges 1
(RCW 77.15.670(3)(b))
Taking Motor Vehicle Without
Permission 2 (RCW 9A.56.075)
Theft 2 (RCW 9A.56.040)

MOTION

On motion of Senator Harper, the rules were suspended, Engrossed Senate Bill No. 5053 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Harper and Roach spoke in favor of passage of the bill.

Theft of Rental, Leased, or Lease-purchased
Property (valued at two
hundred fifty dollars or more but
less than one thousand five
hundred dollars) (RCW
9A.56.096(5)(b))

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5053.

Transaction of insurance business
beyond the scope of licensure
(RCW 48.17.063)

ROLL CALL

Unlawful Fish and Shellfish Catch
Accounting (RCW
77.15.630(3)(b))

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5053 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Unlawful Issuance of Checks or Drafts
(RCW 9A.56.060)

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Unlawful Possession of Fictitious
Identification (RCW 9A.56.320)
Unlawful Possession of Instruments of
Financial Fraud (RCW 9A.56.320)

Excused: Senator Shin

ENGROSSED SENATE BILL NO. 5053, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Unlawful Possession of Payment
Instruments (RCW 9A.56.320)
Unlawful Possession of a Personal
Identification Device (RCW
9A.56.320)

SECOND READING

Unlawful Production of Payment
Instruments (RCW 9A.56.320)
Unlawful Release of Deleterious Exotic
Wildlife (RCW 77.15.250(2)(b))

SENATE BILL NO. 5408, by Senator Ericksen

Unlawful Trafficking in Food Stamps
(RCW 9.91.142)

Modifying the definition of nonpower attributes in the energy independence act.

Unlawful Use of Food Stamps (RCW
9.91.144)

The measure was read the second time.

Unlawful Use of Net to Take Fish 1
(RCW 77.15.580(3)(b))

Unlawful Use of Prohibited Aquatic
Animal Species (RCW

MOTION

On motion of Senator Ericksen, the rules were suspended, Senate Bill No. 5408 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen and Ranker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5408.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5408 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Excused: Senator Shin

SENATE BILL NO. 5408, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5206, by Senators Becker, Keiser, Schlicher, Parlette and Conway

Authorizing occupational therapists, occupational therapy assistants, dieticians, and nutritionists to participate in online access to the University of Washington health sciences library.

The measure was read the second time.

MOTION

Senator Keiser moved that the following amendment by Senators Keiser and Becker be adopted:

On page 2, line 27, after "chapter 18.138 RCW," insert "licensed speech-language pathologists under chapter 18.35 RCW,"

Senators Keiser and Becker spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Keiser and Becker on page 2, line 27 to Senate Bill No. 5206.

The motion by Senator Keiser carried and the amendment was adopted by voice vote.

MOTION

Senator Becker moved that the following amendment by Senators Becker and Keiser be adopted:

On page 2, line 30, after "43.70.112." insert "All other health care professionals subject to regulation under chapter 18.130 RCW may pay an additional fee at point of licensure of no more than twenty-five dollars and as determined by the department if they wish to access the University of Washington's health sciences library under RCW 43.70.112."

Senators Becker and Keiser spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Becker and Keiser on page 2, line 10 to Senate Bill No. 5206.

The motion by Senator Becker carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Senate Bill No. 5206 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Keiser spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5206.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5206 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Smith and Tom

Voting nay: Senator Holmquist Newbry

Excused: Senator Shin

ENGROSSED SENATE BILL NO. 5206, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:27 a.m., on motion of Senator Fain, the Senate adjourned until 9:00 a.m. Tuesday, February 26, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate

1044		5142	
Introduction & 1 st Reading	1	Second Reading	4
Messages	1	Third Reading Final Passage.....	4
1047-S		5198	
Introduction & 1 st Reading	2	Second Reading	3
Messages	1	Third Reading Final Passage.....	3
1056		5206	
Introduction & 1 st Reading	2	Second Reading	10
Messages	1	Third Reading Final Passage.....	10
1059		5212	
Introduction & 1 st Reading	2	Second Reading	4
Messages	1	Third Reading Final Passage.....	4
1113		5263	
Introduction & 1 st Reading	2	Second Reading	5
Messages	1	5263-S	
1204-S		Second Reading	5
Introduction & 1 st Reading	2	Third Reading Final Passage.....	5
Messages	1	5323	
1209		Second Reading	3
Introduction & 1 st Reading	2	Third Reading Final Passage.....	3
Messages	1	5408	
1216-S		Second Reading	9
Introduction & 1 st Reading	2	Third Reading Final Passage.....	10
Messages	1	5466	
1230		Second Reading	3
Introduction & 1 st Reading	2	Third Reading Final Passage.....	4
Messages	1	5852	
5053		Introduction & 1 st Reading.....	1
Other Action	9	5853	
Second Reading.....	5	Introduction & 1 st Reading.....	1
Third Reading Final Passage	9	5854	
5097		Introduction & 1 st Reading.....	1
Second Reading.....	2	5855	
Third Reading Final Passage	3	Introduction & 1 st Reading.....	1
5098		5856	
Second Reading.....	4	Introduction & 1 st Reading.....	1
Third Reading Final Passage	4		